

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	23-CR-544 (VEC)
-against-	:	
	:	<u>ORDER</u>
DONTE GOULBOURNE and ARMANDO	:	
KENNETH BENIQUEZ,	:	
	:	
Defendants.	:	
-----	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on June 14, 2024, the parties appeared for oral argument on Defendants' motion to suppress evidence seized during a traffic checkpoint;

IT IS HEREBY ORDERED that, by no later than **Friday, June 28, 2024**, Defendants may file a supplemental letter brief regarding whether, assuming the checkpoint was unlawful, the Government may rely on the tinted window violation as an alternative basis to justify the stop. The Government's supplemental response letter is due by no later than **Friday, July 19, 2024**.

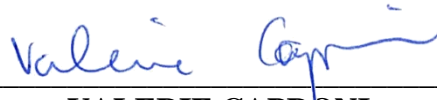
IT IS FURTHER ORDERED that, by no later than **Friday, June 28, 2024**, the Government may file a supplemental letter brief regarding whether, assuming the police officers had reasonable suspicion that criminal activity was afoot by 4:32 A.M., they subsequently "diligently pursued a means of investigation that was likely to confirm or dispel their suspicions quickly, during which time it was necessary to detain the defendant[s]." *United States v. Sharpe*, 470 U.S. 675, 686 (1985). The Defendants' supplemental response letter is due by no later than **Friday, July 19, 2024**.

IT IS FURTHER ORDERED that the deadlines for the parties to submit motions *in limine*, proposed voir dire questions, and requests to charge, as well as the final pretrial

conference and the trial, are ADJOURNED *sine die*. The Court will set a new trial schedule after resolving Defendants' pending motion.

SO ORDERED.

Date: June 14, 2024
New York, NY



VALERIE CAPRONI
United States District Judge